

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CARLOS URENA,

Petitioner,

-v-

UNITED STATES,

Respondent.

18 Civ. 9995 (PAE)  
11 Cr. 1032-4 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received a letter from defendant Carlos Urena inquiring about the status of his pending petition pursuant to 28 U.S.C. § 2255. Urena there seeks to invalidate a count of conviction under 18 U.S.C. § 924(c). The Court has reserved decision as to that petition pending the conclusion of the appellate process in *United States v. Scott*. See Dkt. 31. In *Scott*, the Second Circuit held, *en banc*, that first-degree manslaughter under N.Y. Penal Law § 125.20(1) qualifies as a “crime of violence.” 990 F.3d 94 (2d Cir. 2021) (*en banc*). However, a petition for certiorari by the defendant in *Scott* is pending before the Supreme Court. No. 20-7778.

The Clerk of Court is respectfully directed to mail a copy of this order to Urena at United States P.O. Box 300; Canaan Penitentiary; Waymart, PA 19472.

SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge

Dated: September 30, 2021  
New York, New York